

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

April 25, 2001 LB 543

adjourned for the evening, I should say, pending was Senator Foley's amendment, AM1643, to the committee amendments, Mr. President. (Legislative Journal page 1649.)

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Foley, why don't you take a minute or two and fill us in on where your amendment is. Thank you.

SENATOR FOLEY: Thank you very much, Senator Cudaback and members. I appreciate this minute or two, just to give you, in very brief form, what I was saying yesterday regarding this amendment. Some years ago certain intent language was added to the mainline appropriations bill. And, of course, I wasn't here at the time, so I don't have the complete history of that. But anyway, the intent of the language was to "incentivise" the university to meet certain hiring guidelines. And if they did not meet those guidelines, there would be a penalty imposed. I don't quibble with the goal of trying to strive for diversity; I want to make that very clear; that's not the problem that I have. The problem that I have is that in pushing the university to make its faculty more diverse, I fear that what's being sacrificed here is open competition for vacancies on that faculty when they occur. And I've had some discussions with the university about this. I've exchanged letters with them on this, and the data is incomplete, because they've told me in their most recent letter that some of the personnel records for 1998 and 1999 are missing but, at least based on incomplete data, what it seems to show is that increasingly the university is not using an open, competitive process for filling faculty vacancies. That's what my intent language seeks to address, to give guidance to the university that we expect them, when there are vacancies, to advertise them, to seek the widest possible pool of talent and then to make their hiring decision. That's all it does. It does not quarrel, it does not take issue with the question of moving toward a more diverse faculty. That's what I'm trying to do. Thank you, Senator.

SENATOR CUDABACK: Thank you, Senator Foley. Now open for discussion on the Foley amendment, AM1643, to the committee amendments to LB 543. Senator Chambers, followed by Senator Jensen.